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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,084	03/25/2004	J. David Carlson	IR-2803(EV)CIP	7661
193 LORD CORPO	7590 11/05/2007 OR A TION		EXAM	INER
PATENT & LEGAL SERVICES			SCHWARTZ, CHRISTOPHER P	
111 LORD DR CARY, NC 27	- · -	,	ART UNIT	PAPER NUMBER
CAR1, NC 27512			3683	
•	•			·
			MAIL DATE	DELIVERY MODE
			11/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

· · · · · · · · · · · · · · · · · · ·	Application No.	Applicant(s)				
Office Assistant Commence	10/809,084	CARLSON ET AL.				
Office Action Summary	Examiner	Art Unit				
	Christopher P. Schwartz	3683				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) Responsive to communication(s) filed on 16 Au	igust 2007.					
	action is non-final.					
3) Since this application is in condition for allowar	vance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4)⊠ Claim(s) <u>1-70</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.		·				
8) Claim(s) 1-70 are subject to restriction and/or e	election requirement.					
Application Papers						
9) The specification is objected to by the Examiner.						
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No.						
3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
		and have				
		M M Marie				
Attachment(s)						
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4)	(PTO-413)				
3) Information Disclosure Statement(s) (PTO/SB/08)	5) 🔲 Notice of Informal Pa	atent Application W 50 me				
Attachment(s) Notice of References Cited (PTO-892)						

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Election/Restrictions

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1. This letter is response to applicant's request for clarification in the letter received August 16, 2007. The examiner inadvertently used the wrong set of drawings (and matching specification) in making the previous election requirement.

2. This application contains claims directed to the following patentably distinct species:

Species A - Figures 1 and 2

Species B - Figures 3A and 3B

Species C - Figures 4A and 4B

Species D - Figures 5A and 5B

Species E - Figure 6

Species F - Figure 7

Species G - Figure 8

Species H - Figure 9

Species I- Figures 10 and 31

Species J - Figures 13, 14

Species K- Figures 15 - 17

Species L- Figure 18-20

Species M - Figure 21-30

Species N - Figure 32

Species O – Figure 33

Species P - Figure 34

Species Q - Figure 35A-37B

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Species R- Figure 38-40C, 43

Species S - Figures 41

Species T -Figures 42

(As best understood from applicant's description):

Species U - Figures 44A-44C

Species V - Figure 45A-45D

Species W - Figure 46A-46C

Species X – Figures 47A-47B

Species Y – Figures 48A-48B

Species Z - Figures 49A-49C

Species A1- Figures 50A-50D

Species B1 – Figures 51A-51F

- 3. The species are independent or distinct because they comprise different inventions capable of supporting separate patents.
- 4. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Schwartz whose telephone number is 571-272-7123. The examiner can normally be reached on M-F 10:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim McClellan can be reached on 571-272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cps 10/24/07

WHO STOPHER P. SCHINGER